

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:22-cv-491-BO-RN

CRISTOBAL LOPEZ LOPEZ and GILBERTO )  
FLORES LOZANO, on behalf of themselves )  
and all similarly situated persons, )

Plaintiffs, )

v. )

BOYKIN FARMS, INC., RHODES FARMING, )  
LLC, WILLIE C. BOYKIN, III, MATTHEW Z. )  
RHODES, TONY D. LEE, d/b/a LEE AND )  
SONS FARMS, TONY CAMERON LEE, d/b/a )  
LEE AND SONS FARMS, and CLINT LEE, )  
d/b/a LEE AND SONS FARMS, )

Defendants. )  
\_\_\_\_\_ )

**DEFENDANTS' MOTION TO  
EXCEED PAGE LIMITS  
IN THEIR RESPONSE TO  
PLAINTIFFS'  
MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

Defendants Boykin Farms, Inc., Rhodes Farming, LLC, Willie C. Boykin, III, Matthew Z. Rhodes, Tony D. Lee, Tony Cameron Lee, Clint Lee and Lee and Sons Farms (collectively "Defendants"), by and through their undersigned attorneys, and move this Court pursuant to Fed. R. Civ. P. 7 for relief in the form of a waiver or enlargement of page limitations contained in Local Rule 7.2(f) of the Local Rules of Practice and Procedure for the Eastern District of North Carolina. Defendants' Motion to Exceed Page Limit should be granted for the following reasons:

1. The Complaint filed herein by Plaintiffs is 36 pages long and contains multiple individual and putative class claims with claims asserted against seven defendants, who essentially comprise of two sets of defendants – the Lee and Sons Defendants and the Boykin Farms/Rhodes Farming Defendants – and covering a time period spanning four years. (DE-1).

2. Plaintiffs filed their Motion for Partial Summary Judgment seeking summary judgment on 13 issues and Plaintiffs' Memorandum of Law in Support of Motion for Certification contains 30 pages. (DE 69, 70).

4. Plaintiffs' Motion for Partial Summary Judgment and supporting brief involves complex factual and legal assertions for multiple Defendants that, in order to be fairly responded to and appropriately presented to the Court for consideration, require more than cursory factual and legal analysis, in most instances on multiple grounds.

5. The undersigned attorneys are responding on behalf of what are essentially two groups of named defendants (the Lee and Sons Defendants and the Boykin/Rhodes Defendants) and are cognizant of the 30 page limit for individually filed memoranda and briefs contained in Local Civil Rule 7.2(f), but represent that a joint Response to Motion for Certification would not exceed a combined 60 pages allowed by the rules should individual briefs for each of the two sets of Defendants be filed and would also serve the interests of judicial economy.

6. The undersigned have made every attempt to be succinct and non-repetitive in the analysis of Plaintiffs' arguments for each class certification. However, the sheer number of facts and classes alone mandates the necessity of additional pages exceeding the Local Rule's 30 page limit. Therefore, the Defendants jointly request permission to file a single memorandum of up to 40 pages in length.

7. The undersigned has conferred with Plaintiffs' counsel, and they consent to this motion.

WHEREFORE, Defendants request that this Court grant their Motion to Exceed Page Limit and allow them to file a joint Response to Plaintiff's Motion for Partial Summary Judgment of up to 40 pages.

Respectfully submitted, this, the 3<sup>rd</sup> day of April, 2025.

**CRANFILL SUMNER LLP**

/s/ Elizabeth C. King

F. Marshall Wall

N. C. Bar No. 26804

[FWall@cshlaw.com](mailto:FWall@cshlaw.com)

Elizabeth C. King

N. C. Bar No. 30376

[eking@cshlaw.com](mailto:eking@cshlaw.com)

Post Office Box 27808

Raleigh, NC 27611-7808

Telephone: (919) 828-5100

Fax: (919) 828-2277

*Attorneys for Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:22-cv-491-BO-RN

CRISTOBAL LOPEZ LOPEZ and GILBERTO )  
FLORES LOZANO, on behalf of themselves )  
and all similarly situated persons, )

Plaintiffs, )

v. )

BOYKIN FARMS, INC., RHODES FARMING, )  
LLC, WILLIE C. BOYKIN, III, MATTHEW Z. )  
RHODES, TONY D. LEE, d/b/a LEE AND )  
SONS FARMS, TONY CAMERON LEE, d/b/a )  
LEE AND SONS FARMS, and CLINT LEE, )  
d/b/a LEE AND SONS FARMS, )

Defendants. )  
\_\_\_\_\_ )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 3, 2025, the foregoing Defendants' Motion to Exceed Page/Word Limits was electronically filed with the Clerk of the United States District Court for the Eastern District of North Carolina using the CM/ECF system which will send notification of this filing and an electronic copy of same to all counsel of record as follows:

Clermont F. Ripley

[clermont@ncjustice.org](mailto:clermont@ncjustice.org)

Carol L. Brooke

[carol@ncjustice.org](mailto:carol@ncjustice.org)

Jonathan Wall

[jwall@greensborolaw.com](mailto:jwall@greensborolaw.com)

*Attorneys for Plaintiffs*

Kieran J. Shanahan

[kieran@shanahanlawgroup.com](mailto:kieran@shanahanlawgroup.com)

*Attorney for Boykin Farms, Inc. and*

*Willie C. Boykin, III*

Luther D. Starling, Jr.

[lewstarling@dwslaw.com](mailto:lewstarling@dwslaw.com)

*Attorney for Defendants Rhodes*

*Farming LLC and Matthew Z.*

*Rhodes*

**CRANFILL SUMNER LLP**

/s/ Elizabeth C. King\_\_\_\_\_

F. Marshall Wall

N. C. Bar No. 26804

[FWall@cshlaw.com](mailto:FWall@cshlaw.com)

Elizabeth C. King

N. C. Bar No. 30376

[eking@cshlaw.com](mailto:eking@cshlaw.com)

Post Office Box 27808

Raleigh, NC 27611-7808

Telephone: (919) 828-5100

Fax: (919) 828-2277

*Attorneys for Defendants*